

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHARON E. LANGEN,

Plaintiff,

Case No. 07-14815

v.

Honorable John Corbett O'Meara

19TH DISTRICT COURT FOR THE CITY OF
DEARBORN and CHIEF JUDGE MARK W.
SOMERS, individually and in his official
capacity,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Sharon E. Langen filed a six-count complaint in this court November 8, 2007, alleging the following causes of action: Count I, violation of 42 U.S.C. § 1983 for retaliation in violation of Plaintiff's First and Fourteenth Amendment rights of association; Count II, discrimination based on sex in violation of Title VII of the Civil Rights Act of 1964; Count III, sex discrimination in violation of Michigan's Elliott-Larsen Civil Rights Act; Count IV, religious discrimination in violation of Michigan's Elliott-Larsen Civil Rights Act; Count V, retaliation in violation of Michigan's Elliott-Larsen Civil Rights Act and Title VII; and Count VI, retaliation in violation of Plaintiff's First Amendment rights to free speech.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts III, IV, and V, to the extent it claims an action based on state law, are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: December 13, 2007

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, December 13, 2007, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager